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Chapter No. 29  
102E/HR40/R7  
CT 1 SP

## ***HOUSE BILL NO. 3***

Originated in House Don Richardson Clerk

HOUSE BILL NO. 3

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF D'IBERVILLE, MISSISSIPPI, TO ACQUIRE CERTAIN REAL PROPERTY; TO AUTHORIZE THE CITY TO ENTER INTO A FINANCING AGREEMENT WITH THE SELLER OR SELLERS FOR SUCH REAL PROPERTY; TO AUTHORIZE THE GOVERNING AUTHORITIES TO LEASE PROPERTY, ONCE ACQUIRED AND ALREADY OWNED BY THE CITY, FOR TERMS VARYING IN LENGTH, BUT NOT TO EXCEED 99 YEARS, THEREBY RESULTING IN THE PURCHASE OF THE PROPERTY AT THE CONCLUSION OF THE TERM OR TERMS OF THE LEASE FOR ECONOMIC AND COMMERCIAL DEVELOPMENT PURPOSES; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

**SECTION 1.** As used in this act the following terms shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "City" means the City of D'Iberville, Mississippi.

(b) "Governing authorities" means the City Council of the City of D'Iberville, Mississippi.

**SECTION 2.** The governing authorities, in their discretion, and subject to the conditions and requirements set out in this act, are hereby authorized to acquire a certain piece of real property described in Section 4 of this act for the purpose of leasing it to an Internal Revenue Code Section 501(c)(3) private entity for use in a significant economic development project in the city. If the governing authorities, in their discretion, determine to acquire the property, they must pay consideration for the property in the amount of its fair market value as determined by the average of the fair market value determinations of three (3) professional property appraisers selected by the city and approved by the lessee. Appraisal fees shall be shared equally by the city and the lessee.

**SECTION 3.** If the governing authorities, in their discretion, decide to acquire real property, as authorized under this act, the governing authorities are also authorized to enter into an agreement of financing with the property's fee simple title owner for terms varying in length up to, but not exceeding, ninety-nine (99) years and to make payment of the sales price in accordance with the terms of such agreement.

**SECTION 4.** The governing authorities, in their discretion, and upon acquisition of the property, are also authorized to lease the property it owns and property it will acquire, all of which is described in this section, to a private entity or entities for terms varying in length up to, but not exceeding, ninety-nine (99) years, with the private entity having the option to purchase the property at the conclusion of the lease term(s), such authority being necessary and appropriate to maximize the economic and commercial benefits from such property to the city, upon such terms and conditions as the governing authorities may elect for economic and commercial development purposes. The governing authorities must use all lease payment proceeds received from the lessee to pay for the acquisition of the following property described below consistent with the terms of the financing agreement it has entered into with the property's seller, if any:

(a) A parcel of land situated in the Northeast Quarter of Section 8, the Southeast Quarter of Section 8 and the Northwest Quarter of Section 9, all in Township 7 South, Range 9 West, City of D'Iberville, Second Judicial District, Harrison County, Mississippi, being more particularly described as follows, to wit:

From the POINT OF BEGINNING, commence at an iron rod on the West margin of McAlpine Street, said iron rod being the Northeast corner of Lot 6, Town and County Subdivision, per Plat Book 4, Page 33, on file in the Office of the Chancery Clerk, First Judicial District, Harrison County, Mississippi; thence run South 89°31'07"

West, along the North boundary line of said Subdivision, for a distance of 308.63 feet to an iron rod; thence run North 88°44'49" West, for a distance of 92.72 feet to an iron rod on the Northerly margin of D'Iberville Boulevard; thence run North 32°29'46" West, along said Northerly margin, for a distance of 206.50 feet to a concrete post; thence run North 32°58'04" West, along said Northerly margin, for a distance of 304.24 feet to an iron rod; thence run North 28°57'18" West along said Northerly margin, for a distance of 226.54 feet to an iron rod; thence run North 29°47'06" West, along said Northerly margin, for a distance of 143.56 feet to a concrete monument at the point of intersection of the Northerly margin of D'Iberville Boulevard with the Southerly margin of Interstate No. 10; thence run along the Southerly margin of Interstate No. 10 and Interstate No. 110, the following bearings and distances, to wit; North 68°26'11" East, 825.18 feet to a concrete monument; North 83°47'54" East, 622.58 feet to a concrete monument; South 74°37'44" East, 249.65 feet to a concrete monument; South 66°04'01" East, 379.20 feet to an iron rod; South 46°12'42" East, 290.59 feet to a concrete monument and South 24°20'00" East, 1.10 feet to an iron rod; thence run on a bearing of South, for a distance of 40.30 feet to an iron rod; thence run North 89°58'46" West, for a distance of 1338.85 feet to a nail in asphalt; thence run North 89°47'37" West, for a distance of 13.83 feet to an iron rod on the West margin of McAlpine Street; thence run South 02°23'34" East, along said West margin, for a distance of 660.96 feet to the POINT OF BEGINNING, containing 1,087,258 Square Feet or 24.96 acres.

(b) A parcel of land situated and being located in Section 22, Township 7 South, Range 9 West, City of D'Iberville, Second Judicial District of Harrison County, Mississippi, and being more particularly described as follows, to wit:

Beginning at the Southeast corner intersection of the South right-of-way of Rodriguez Street and the East right-of-way of Central Avenue; thence Easterly along the South right-of-way of Rodriguez Street to its intersection with the West right-of-way of Pringle Avenue; thence South along said West right-of-way of Pringle Avenue to its intersection with the North right-of-way of Racetrack Road; thence Westerly along said North right-of-way of Racetrack Road to its intersection with the West right-of-way projection of Desporte Street; thence along the West right-of-way of Desporte Street to its intersection with the North right-of-way of St. Charles Avenue; thence along said North right-of-way of St. Charles Avenue to its intersection with the East right-of-way of Church Street; thence Northerly along said East right-of-way of Church Street to its intersection with the North right-of-way projection of Argo Street; thence Westerly along said North right-of-way of Argo Street to its intersection with the East right-of-way of Central Avenue; thence Northerly along said East right-of-way of Central Avenue to the Point of Beginning. Said parcel of land contains 34.5 acres, more or less.

(c) Property North of Racetrack Road:

A certain parcel of land lying within and being a part of Section 16 and 21, Township 7 South, Range 9 West, D'Iberville, Harrison County, Mississippi, said parcel of land containing 4.72 acres, more or less, and is more particularly described as follows:

Beginning at a 1/2" iron rebar set marking the intersection of the East line of Batia Avenue with the North line of Race Track Road as described in Deed Book 370 at Page 376 of the Harrison County Chancery Clerk's Office and thence run South 80 degrees 19 minutes 57 seconds West, along the North right-of-way line of Race Track Road, for a distance of 30.46 feet to point; thence run along a curve to the left, along the North right-of-way line of Race Track Road, with the following curve data: Radius of 804.60 feet, Arc Length of 164.16 feet, Chord Length of 163.87 feet, Chord Bearing of South 75 degrees 13 minutes 18 seconds West to a 1/2" iron rebar set at its intersection with the East right-of-way line of Fountain Avenue; thence run North 00 degrees 12 minutes 13 seconds West, along the East right-of-way line of Fountain Avenue, for distance of 530.87 feet to a 1/2" iron rebar set; thence leave said right-of-way and run South 89 degrees 58 minutes 05 seconds East for distance of 162.57 feet to a 1/2" iron rebar set; thence run South 75 degrees 51 minutes 00 seconds East for distance of 30.90 feet to a 1/2" iron rebar set; thence run South 89 degrees 36 minutes 02 seconds East for distance of 170.39 feet to a 1/2" iron rebar set; thence run South 00 degrees 38 minutes 03 seconds East for distance of 29.43 feet to a 1/2" rebar set; thence run North 89 degrees 21 minutes 57 seconds East for distance of 72.05 feet to a 1/2" iron rebar set of the East boundary of the Harrison County line; thence run South 00 degrees 15 minutes 41 seconds West, along said county line, for distance of 420.77 feet to a 1/2" iron rebar set on the North right-of-way line of said Race Track Road; thence run South 89 degrees 19 minutes 23 seconds West, along the North right-of-way line of

Race Track Road, for distance of 28.70 feet to a 1/2" iron rebar set; thence run along a curve to the left, along the North right-of-way line of Race Track Road, with the following curve data: Radius of 2278.00 feet, Arc Length of 215.90 feet, Chord Length of 215.82 feet, Chord Bearing of South 83 degrees 14 minutes 47 seconds West back to the POINT OF BEGINNING.

(d) Property South of Racetrack Road and West of Batia Avenue:

A certain parcel of land lying within and being a part of Section 21, Township 7 South, Range 9 West, D'Iberville, Harrison County, Mississippi, said parcel of land containing 0.42 acres, more or less, and is more particularly described as follows:

Commencing at a 1/2" iron rebar set marking the intersection of the East line of Batia Avenue with the North line of Race Track Road as described in Deed Book 370 at Page 376 of the Harrison County Chancery Clerk's Office and thence run South 06 degrees 40 minutes 46 seconds East for a distance of 50.06 feet to point; thence run South 80 degrees 10 minutes 31 seconds West for a distance of 24.39 feet to point marking the intersection of the West line of Batia Avenue with the South line of Race Track Road, said point being the Point of Beginning of the tract herein described: From the Point of Beginning thence run South 00 degrees 24 minutes 52 seconds West, along the West right-of-way line of Batia Avenue, for distance of 208.37 feet to a rebar set; thence leave said right-of-way and run South 89 degrees 46 minutes 53 seconds West for distance of 91.91 feet to a 1/2" iron rebar set on the East right-of-way line of Grady Road; thence run North 00 degrees 30 minutes 49 seconds East for distance of

188.91 feet to a 1/2" iron rebar set on the South right-of-way line of Race Track Road; thence run along a curve to the left, along the South right-of-way line of Race Track Road, with the following curve data: Radius of 754.60 feet, Arc Length of 93.90 feet, Chord Length of 93.84 feet, Chord Bearing of North 77 degrees 48 minutes 47 seconds East to a 1/2" iron rebar set at its intersection with the East right-of-way line of Fountain Avenue and back to the POINT OF BEGINNING.

(e) Property South of Racetrack Road and West of Batia Avenue:

A certain parcel of land lying within and being a part of Section 16 and 21, Township 7 South, Range 9 West, D'Iberville, Harrison County, Mississippi, said parcel of land containing 1.17 acres, more or less, and is more particularly described as follows:

Commencing at a 1/2" iron rebar set marking the intersection of the East line of Batia Avenue with the North line of Race Track Road as described in Deed Book 370 at Page 376 of the Harrison County Chancery Clerk's Office and thence run South 06 degrees 40 minutes 46 seconds East for a distance of 50.06 feet to point marking the intersection of the East line of Batia Avenue with the South line of Race Track Road, said point being the Point of Beginning of the tract herein described:

From the Point of Beginning thence run along a curve to the right, along the South right-of-way line of Race Track Road, with the following curve data: Radius of 2228.00 feet, Arc Length of 212.13 feet, Chord Length of 212.05 feet, Chord Bearing of North 83 degrees 11 minutes 47 seconds East to a 1/2" iron rebar set; thence run North 89 degrees 19 minutes 23 seconds East,

along the South right-of-way line of Race Track Road,  
for distance of 26.41 feet to a 1/2" iron rebar set;  
thence leave said right-of-way and run South 00 degrees  
15 minutes 41 seconds West for distance of 25.51 feet to  
a point on the Mean High Water Mark; thence run along  
said Mean High Water Mark the following bearings and  
distances:

South 88 degrees 04 minutes 32 seconds West for distance  
of 37.95 feet; South 48 degrees 18 minutes 16 seconds  
West for distance of 85.58 feet; South 81 degrees 10  
minutes 51 seconds West for distance of 31.84 feet;  
South 51 degrees 13 minutes 31 seconds West for distance  
of 46.43 feet; South 13 degrees 58 minutes 38 seconds  
West for distance of 40.37 feet; South 12 degrees 35  
minutes 42 seconds East for distance of 33.51 feet;  
South 05 degrees 50 minutes 05 seconds West for distance  
of 26.62 feet; South 42 degrees 40 minutes 54 seconds  
East for distance of 12.03 feet; South 10 degrees 30  
minutes 50 seconds East for distance of 56.03 feet;  
South 07 degrees 36 minutes 49 seconds East for distance  
of 64.71 feet; South 19 degrees 52 minutes 28 seconds  
West for distance of 65.46 feet; South 14 degrees 58  
minutes 40 seconds West for distance of 61.68 feet;  
South 31 degrees 07 minutes 29 seconds West for distance  
of 64.89 feet; South 34 degrees 24 minutes 43 seconds  
West for distance of 52.67 feet; South 30 degrees 54  
minutes 40 seconds West for distance of 50.53 feet;  
South 26 degrees 45 minutes 25 seconds West for distance  
of 31.47 feet; South 41 degrees 20 minutes 18 seconds  
West for distance of 28.23 feet; South 40 degrees 50  
minutes 06 seconds West for distance of 28.93 feet;  
South 51 degrees 55 minutes 52 seconds West for distance  
of 11.30 feet to a point on the East right-of-way line

of Batia Avenue; thence run North 21 degrees 10 minutes 39 seconds East for a distance of 82.68 feet to a 1/2" iron rebar set; thence run North 22 degrees 04 minutes 56 seconds East for a distance of 49.07 feet to a 1/2" iron rebar set; thence run North 18 degrees 58 minutes 00 seconds East for a distance of 49.16 feet to a 1/2" iron rebar set; thence run North 17 degrees 44 minutes 03 seconds East for a distance of 50.80 feet to a 1/2" iron rebar set; thence run along a curve to the left with the following curve data: Radius of 421.19 feet, Arc Length of 115.03 feet, Chord Length of 114.67 feet, Chord Bearing of North 08 degrees 24 minutes 49 seconds East to a 1/2" iron rebar set; thence run North 00 degrees 24 minutes 52 seconds East for a distance of 329.47 feet back to the POINT OF BEGINNING.

(f) A parcel of land situated and being located in the South 1/2 of the Northeast 1/4 of Section 9, Township 7 South, Range 9 West, City of D'Iberville, Second Judicial District of Harrison County, Mississippi, and being more particularly described as follows:

Beginning at a 1/2" rebar found at the northwest corner of Gable Subdivision as per Plat Book 4 at Page 52 on file and of record in the office of the Chancery Clerk of Harrison County, Mississippi; thence N 00 degrees 10 minutes 40 seconds W 375.00 feet to a 1/2" rebar found; thence S 89 degrees 56 minutes 49 seconds E 624.56 feet to a 1/2" rebar set; thence N 00 degrees 14 minutes 14 seconds E 153.20 feet to a 1/2" rebar set on the south right-of-way of Georgette Lane; thence N 89 degrees 30 minutes 43 seconds E 125.00 feet along said south right-of-way of Georgette Lane to a 1/2" rebar set at a fence corner post; thence N 00 degrees 14 minutes 03 seconds E 25.00 feet to a 1/2" rebar set at a fence

corner post found on the south right-of-way of Interstate 10; thence N 89 degrees 30 minutes 41 seconds E 1274.59 feet along said south right-of-way of Interstate 10 to a 1/2" rebar found on the apparent west right-of-way of Gorenflo Road; thence S 00 degrees 00 minutes and 59 seconds E 188.26 feet along said apparent west right-of-way of Gorenflo Road to a 1/2" rebar found; thence S 89 degrees 26 minutes 44 seconds W 299.96 feet to a 1/2" rebar found; thence S 01 degrees 11 minutes 23 seconds E 130.00 feet to a 1/2" rebar set; thence N 89 degrees 26 minutes 10 seconds E 300.00 feet to a 1/2" rebar found on the apparent west right-of-way of Gorenflo Road; thence S 00 degrees 11 minutes 30 seconds E 189.84 feet along said apparent west right-of-way of Gorenflo Road to a 1/2" rebar found; thence S 89 degrees 56 minutes 24 seconds W 96.75 feet to a 1/2" rebar found; thence S 89 degrees 24 minutes 27 seconds W 203.15 feet to a 1/2" rebar found; thence S 00 degrees 04 minutes 21 seconds W 54.06 feet to a 1/2" rebar found on the north right-of-way of Thomas Street; thence S 89 degrees 47 minutes 10 seconds W 240.14 feet along said north right-of-way of Thomas Street to a 1/2" rebar found; thence N 89 degrees 58 minutes 30 seconds W 1484.74 feet further along said north right-of-way of Thomas Street to the Point of Beginning. Said overall parcel of land contains 22.00 acres, more or less, and is subject to easements shown and delineated hereon.

**SECTION 5.** The governing authorities may lease all or part of the property described in Sections 4 and 7 of this act only upon the determination by the governing authorities, by resolution duly and lawfully adopted and spread upon their minutes, the following:

(a) That such property is no longer needed for municipal or related purposes and is not to be used in the operation of the city;

(b) That the lease/purchase of the property in the manner otherwise provided by law is not necessary or desirable for the financial welfare of the city;

(c) That the use of the property for the purpose or purposes for which it is to be leased will promote and foster the development and improvement of the city and the civic, educational, cultural, moral, economic and industrial welfare thereof including, but not limited to, increased employment opportunities and revenues for the city; and

(d) That the private entity or entities to which the property is to be leased/purchased are found to be suitable and acceptable parties for these purposes.

**SECTION 6.** If any revenue or tax is derived from or directly in association with any of the leases authorized in this act, the city is authorized to retain the twenty percent (20%) earmark, as authorized under Chapter 868, Local and Private Laws of 1992, for educational purposes in Harrison County and attribute the same for educational purposes within the municipality.

**SECTION 7.** The governing authorities in their discretion, and subject to the conditions and requirements provided in this section, are authorized to lease all or a part of the following described property now owned or to be owned by the city, together with all of the land, accretions and littoral or riparian rights associated with the property, to a developer or developers for various lengths up to, but not exceeding, ninety-nine (99) years, such authority being necessary and appropriate to maximize the economic and commercial benefits from such property to the city, upon such terms and conditions as the governing authorities may elect for economic and commercial development purposes:

(a) A parcel of land situated in the Northeast Quarter of Section 8, the Southeast Quarter of Section 8 and the Northwest Quarter of Section 9, all in Township 7 South, Range 9 West, City of D'Iberville, Second Judicial District, Harrison County, Mississippi, being more particularly described as follows, to wit:

From the POINT OF BEGINNING, commence at an iron rod on the West margin of McAlpine Street, said iron rod being the Northeast corner of Lot 6, Town and County Subdivision, per Plat Book 4, Page 33, ON FILE IN THE Office of the Chancery Clerk, First Judicial District, Harrison County, Mississippi; thence run South  $89^{\circ}31'07''$  West, along the North boundary line of said Subdivision, for a distance of 308.63 feet to an iron rod; thence run North  $88^{\circ}44'49''$  West, for a distance of 92.72 feet to an iron rod on the Northerly margin of D'Iberville Boulevard; thence run North  $32^{\circ}29'46''$  West, along said Northerly margin, for a distance of 206.50 feet to a concrete post; thence run North  $32^{\circ}58'04''$  West, along said Northerly margin, for a distance of 304.24 feet to an iron rod; thence run North  $28^{\circ}57'18''$  West along said Northerly margin, for a distance of 226.54 feet to an iron rod; thence run North  $29^{\circ}47'06''$  West, along said Northerly margin, for a distance of 143.56 feet to a concrete monument at the point of intersection of the Northerly margin of D'Iberville Boulevard with the Southerly margin of Interstate No. 10; thence run along the Southerly margin of Interstate No. 10 and Interstate No. 110, the following bearings and distances, to wit; North  $68^{\circ}26'11''$  East, 825.18 feet to a concrete monument; North  $83^{\circ}47'54''$  East, 622.58 feet to a concrete monument; South  $74^{\circ}37'44''$  East, 249.65 feet to a concrete monument; South  $66^{\circ}04'01''$  East, 379.20 feet to an iron rod; South  $46^{\circ}12'42''$  East, 290.59 feet to a

concrete monument and South 24°20'00" East, 1.10 feet to an iron rod; thence run on a bearing of South, for a distance of 40.30 feet to an iron rod; thence run North 89°58'46" West, for a distance of 1338.85 feet to a nail in asphalt; thence run North 89°47'37" West, for a distance of 13.83 feet to an iron rod on the West margin of McAlpine Street; thence run South 02°23'34" East, along said West margin, for a distance of 660.96 feet to the POINT OF BEGINNING, containing 1,087,258 Square Feet or 24.96 acres.

(b) A parcel of land situated and being located in Section 22, Township 7 South, Range 9 West, City of D'Iberville, Second Judicial District of Harrison County, Mississippi, and being more particularly described as follows, to wit:

Beginning at the Southeast corner intersection of the South right-of-way of Rodriguez Street and the East right-of-way of Central Avenue; thence Easterly along the South right-of-way of Rodriguez Street to its intersection with the West right-of-way of Pringle Avenue; thence South along said West right-of-way of Pringle Avenue to its intersection with the North right-of-way of Racetrack Road; thence Westerly along said North right-of-way of Racetrack Road to its intersection with the West right-of-way projection of Desporte Street; thence along the West right-of-way of Desporte Street to its intersection with the North right-of-way of St. Charles Avenue; thence along said North right-of-way of St. Charles Avenue to its intersection with the East right-of-way of Church Street; thence Northerly along said East right-of-way of Church Street to its intersection with the North right-of-way projection of Argo Street; thence Westerly along said North right-of-way of Argo Street to its

intersection with the East right-of-way of Central Avenue; thence Northerly along said East right-of-way of Central Avenue to the Point of Beginning. Said parcel of land contains 34.5 acres, more or less.

(c) Property North of Racetrack Road:

A certain parcel of land lying within and being a part of Section 16 and 21, Township 7 South, Range 9 West, D'Iberville, Harrison County, Mississippi, said parcel of land containing 4.72 acres, more or less, and is more particularly described as follows:

Beginning at a 1/2" iron rebar set marking the intersection of the East line of Batia Avenue with the North line of Race Track Road as described in Deed Book 370 at Page 376 of the Harrison County Chancery Clerk's Office and thence run South 80 degrees 19 minutes 57 seconds West, along the North right-of-way line of Race Track Road, for a distance of 30.46 feet to point; thence run along a curve to the left, along the North right-of-way line of Race Track Road, with the following curve data: Radius of 804.60 feet, Arc Length of 164.16 feet, Chord Length of 163.87 feet, Chord Bearing of South 75 degrees 13 minutes 18 seconds West to a 1/2" iron rebar set at its intersection with the East right-of-way line of Fountain Avenue; thence run North 00 degrees 12 minutes 13 seconds West, along the East right-of-way line of Fountain Avenue, for distance of 530.87 feet to a 1/2" iron rebar set; thence leave said right-of-way and run South 89 degrees 58 minutes 05 seconds East for distance of 162.57 feet to a 1/2" iron rebar set; thence run South 75 degrees 51 minutes 00 seconds East for distance of 30.90 feet to a 1/2" iron rebar set; thence run South 89 degrees 36 minutes 02 seconds East for distance of 170.39 feet to a 1/2" iron

rebar set; thence run South 00 degrees 38 minutes 03 seconds East for distance of 29.43 feet to a 1/2" rebar set; thence run North 89 degrees 21 minutes 57 seconds East for distance of 72.05 feet to a 1/2" iron rebar set of the East boundary of the Harrison County line; thence run South 00 degrees 15 minutes 41 seconds West, along said county line, for distance of 420.77 feet to a 1/2" iron rebar set on the North right-of-way line of said Race Track Road; thence run South 89 degrees 19 minutes 23 seconds West, along the North right-of-way line of Race Track Road, for distance of 28.70 feet to a 1/2" iron rebar set; thence run along a curve to the left, along the North right-of-way line of Race Track Road, with the following curve data: Radius of 2278.00 feet, Arc Length of 215.90 feet, Chord Length of 215.82 feet, Chord Bearing of South 83 degrees 14 minutes 47 seconds West back to the POINT OF BEGINNING.

(d) Property South of Racetrack Road and West of Batia Avenue:

A certain parcel of land lying within and being a part of Section 21, Township 7 South, Range 9 West, D'Iberville, Harrison County, Mississippi, said parcel of land containing 0.42 acres, more or less, and is more particularly described as follows:

Commencing at a 1/2" iron rebar set marking the intersection of the East line of Batia Avenue with the North line of Race Track Road as described in Deed Book 370 at Page 376 of the Harrison County Chancery Clerk's Office and thence run South 06 degrees 40 minutes 46 seconds East for a distance of 50.06 feet to point; thence run South 80 degrees 10 minutes 31 seconds West for a distance of 24.39 feet to point marking the intersection of the West line of Batia Avenue with the

South line of Race Track Road, said point being the Point of Beginning of the tract herein described:  
From the Point of Beginning thence run South 00 degrees 24 minutes 52 seconds West, along the West right-of-way line of Batia Avenue, for distance of 208.37 feet to a 1/2" rebar set; thence leave said right-of-way and run South 89 degrees 46 minutes 53 seconds West for distance of 91.91 feet to a 1/2" iron rebar set on the East right-of-way line of Grady Road; thence run North 00 degrees 30 minutes 49 seconds East for distance of 188.91 feet to a 1/2" iron rebar set on the South right-of-way line of Race Track Road; thence run along a curve to the left, along the South right-of-way line of Race Track Road, with the following curve data: Radius of 754.60 feet, Arc Length of 93.90 feet, Chord Length of 93.84 feet, Chord Bearing of North 77 degrees 48 minutes 47 seconds East to a 1/2" iron rebar set at its intersection with the East right-of-way line of Fountain Avenue and back to the POINT OF BEGINNING.

(e) Property South of Racetrack Road and West of Batia Avenue:

A certain parcel of land lying within and being a part of Section 16 and 21, Township 7 South, Range 9 West, D'Iberville, Harrison County, Mississippi, said parcel of land containing 1.17 acres, more or less, and is more particularly described as follows:

Commencing at a 1/2" iron rebar set marking the intersection of the East line of Batia Avenue with the North line of Race Track Road as described in Deed Book 370 at Page 376 of the Harrison County Chancery Clerk's Office and thence run South 06 degrees 40 minutes 46 seconds East for a distance of 50.06 feet to point marking the intersection of the East line of Batia

Avenue with the South line of Race Track Road, said point being the Point of Beginning of the tract herein described:

From the Point of Beginning thence run along a curve to the right, along the South right-of-way line of Race Track Road, with the following curve data: Radius of 2,228.00 feet, Arc Length of 212.13 feet, Chord Length of 212.05 feet, Chord Bearing of North 83 degrees 11 minutes 47 seconds East to a 1/2" iron rebar set; thence run North 89 degrees 19 minutes 23 seconds East, along the South right-of-way line of Race Track Road, for distance of 26.41 feet to a 1/2" iron rebar set; thence leave said right-of-way and run South 00 degrees 15 minutes 41 seconds West for distance of 25.51 feet to a point on the Mean High Water Mark; thence run along said Mean High Water Mark the following bearings and distances:

South 88 degrees 04 minutes 32 seconds West for distance of 37.95 feet; South 48 degrees 18 minutes 16 seconds West for distance of 85.58 feet; South 81 degrees 10 minutes 51 seconds West for distance of 31.84 feet; South 51 degrees 13 minutes 31 seconds West for distance of 46.43 feet; South 13 degrees 58 minutes 38 seconds West for distance of 40.37 feet; South 12 degrees 35 minutes 42 seconds East for distance of 33.51 feet; South 05 degrees 50 minutes 05 seconds West for distance of 26.62 feet; South 42 degrees 40 minutes 54 seconds East for distance of 12.03 feet; South 10 degrees 30 minutes 50 seconds East for distance of 56.03 feet; South 07 degrees 36 minutes 49 seconds East for distance of 64.71 feet; South 19 degrees 52 minutes 28 seconds West for distance of 65.46 feet; South 14 degrees 58 minutes 40 seconds West for distance of 61.68 feet;

South 31 degrees 07 minutes 29 seconds West for distance of 64.89 feet; South 34 degrees 24 minutes 43 seconds West for distance of 52.67 feet; South 30 degrees 54 minutes 40 seconds West for distance of 50.53 feet; South 26 degrees 45 minutes 25 seconds West for distance of 31.47 feet; South 41 degrees 20 minutes 18 seconds West for distance of 28.23 feet; South 40 degrees 50 minutes 06 seconds West for distance of 28.93 feet; South 51 degrees 55 minutes 52 seconds West for distance of 11.30 feet to a point on the East right-of-way line of Batia Avenue; thence run North 21 degrees 10 minutes 39 seconds East for a distance of 82.68 feet to a 1/2" iron rebar set; thence run North 22 degrees 04 minutes 56 seconds East for a distance of 49.07 feet to a 1/2" iron rebar set; thence run North 18 degrees 58 minutes 00 seconds East for a distance of 49.16 feet to a 1/2" iron rebar set; thence run North 17 degrees 44 minutes 03 seconds East for a distance of 50.80 feet to a 1/2" iron rebar set; thence run along a curve to the left with the following curve data: Radius of 421.19 feet, Arc Length of 115.03 feet, Chord Length of 114.67 feet, Chord Bearing of North 08 degrees 24 minutes 49 seconds East to a 1/2" iron rebar set; thence run North 00 degrees 24 minutes 52 seconds East for a distance of 329.47 feet back to the POINT OF BEGINNING.

(f) A parcel of land situated and being located in the South 1/2 of the Northeast 1/4 of Section 9, Township 7 South, Range 9 West, City of D'Iberville, Second Judicial District of Harrison County, Mississippi, and being more particularly described as follows:

Beginning at a 1/2" rebar found at the northwest corner of Gable Subdivision as per Plat Book 4 at Page 52 on file and of record in the Office of the Chancery Clerk

of Harrison County, Mississippi; thence N 00 degrees 10 minutes 40 seconds W 375.00 feet to a 1/2" rebar found; thence S 89 degrees 56 minutes 49 seconds E 624.56 feet to a 1/2" rebar set; thence N 00 degrees 14 minutes 14 seconds E 153.20 feet to a 1/2" rebar set on the South right-of-way of Georgette Lane; thence N 89 degrees 30 minutes 43 seconds E 125.00 feet along said South right-of-way of Georgette Lane to a 1/2" rebar set at a fence corner post; thence N 00 degrees 14 minutes 03 seconds E 25.00 feet to a 1/2" rebar set at a fence corner post found on the South right-of-way of Interstate 10; thence N 89 degrees 30 minutes 41 seconds E 1274.59 feet along said South right-of-way of Interstate 10 to a 1/2" rebar found on the apparent West right-of-way of Gorenflo Road; thence S 00 degrees 00 minutes and 59 seconds E 188.26 feet along said apparent West right-of-way of Gorenflo Road to a 1/2" rebar found; thence S 89 degrees 26 minutes 44 seconds W 299.96 feet to a 1/2" rebar found; thence S 01 degrees 11 minutes 23 seconds E 130.00 feet to a 1/2" rebar set; thence N 89 degrees 26 minutes 10 seconds E 300.00 feet to a 1/2" rebar found on the apparent West right-of-way of Gorenflo Road; thence S 00 degrees 11 minutes 30 seconds E 189.84 feet along said apparent West right-of-way of Gorenflo Road to a 1/2" rebar found; thence S 89 degrees 56 minutes 24 seconds W 96.75 feet to a 1/2" rebar found; thence S 89 degrees 24 minutes 27 seconds W 203.15 feet to a 1/2" rebar found; thence S 00 degrees 04 minutes 21 seconds W 54.06 feet to a 1/2" rebar found on the North right-of-way of Thomas Street; thence S 89 degrees 47 minutes 10 seconds W 240.14 feet along said North right-of-way of Thomas Street to a 1/2" rebar found; thence N 89 degrees 58 minutes 30 seconds W

1484.74 feet further along said North right-of-way of Thomas Street to the Point of Beginning. Said overall parcel of land contains 22.00 acres, more or less, and is subject to easements shown and delineated hereon.

**SECTION 8.** The governing authorities may lease all or a part of the property described in Sections 4 and 7 without advertising for and accepting competitive bids, but for such consideration as the city deems appropriate and consistent with the economic and other development and improvements of the city resulting from the project.

**SECTION 9.** The city also may enter into such other agreements and covenants with the private entity or entities lease/purchasing the property related to the leased property which may be necessary or beneficial to the development of the property for terms up to, but not to exceed, ninety-nine (99) years.

**SECTION 10.** This act shall take effect and be in force from and after its passage.

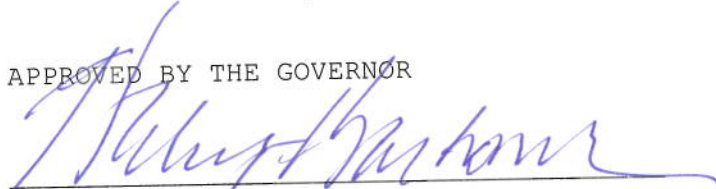
PASSED BY THE HOUSE OF REPRESENTATIVES  
August 27, 2010

  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE  
August 27, 2010

  
PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR

  
GOVERNOR

9/3/10

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